

REMARKS**Rejection under 35 U.S.C. § 112, first paragraph**

Claims 2, 6, 9, 13-15, and 19-20 are rejected under 35 U.S.C. § 112, first paragraph. Specifically, the Examiner has stated that the terms “tool-neutral persistent form” and “tool neutral form” are not described with specific meaning in the specification. Office Action, page 2.

Applicant respectfully traverses the Examiner’s statement that the tool-neutral elements are not described with specific meaning in the specification. In particular, the specification discloses that “the public interface definition allows virtually any tool to access parts of the object.” Specifically, the exposure of an interface that enables any tool implementing an extension adapted to the interface to conduct read and write transactions to access data stored in an object format. *See* application, page 4, lines 26 through page 5, line 15. Thus, the application describes the object/interface implementation as being of “tool neutral persistent form.” Application, page 4, lines 21-22. Accordingly, Applicant submits that the “tool-neutral” elements of claims 2, 6, 9, 13-15, and 19-20 are described in the specification and are clear to one of ordinary skill in the art.

Applicant requests the Examiner to withdraw the rejection.

Rejections under 35 U.S.C. § 103

Claims 1-2, 4-9, 11-15, and 17-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0032592 by Krasnick et al. (hereinafter the “Krasnick application”) in view of U.S. Patent No. 5,867,654 to Ludwig et al. (hereinafter the “Ludwig patent”).

Claims 3, 10, and 16 are rejected as being unpatentable over Krasnick in view of U.S. Patent No. 6,212,530 to Kadlec (hereinafter the “Kadlec patent”).

Before addressing the substance of the applied references, Applicant notes that the filing date of the Krasnick application is after the filing date of the present application. It appears that the Examiner is relying upon the filing date of the provisional application to which the Krasnick application claims priority. However, Applicant respectfully submits

that only the subject matter that was actually present in the provisional application can be afforded the filing date of the provisional application. Because a copy of the provisional application has not been provided with the present Office Action, it has not been established that the subject matter of the Krasnick application upon which the Examiner relies is entitled to the earlier filing date. Accordingly, Applicant respectfully requests the Examiner to make the provisional application of record to establish the existence of the relevant subject matter. If such subject matter does not exist in the provisional application, Applicant respectfully requests that the outstanding rejections under 35 U.S.C. § 103(a) be withdrawn.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the applied art must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Even assuming that the applied references are proper art for a rejection under 35 U.S.C. § 103(a), Applicant respectfully submits that the applied references do not satisfy these criteria.

Applicant has amended independent claims 1, 8, and 15 to include limitations related to action item objects and commitment objects. The amendments are supported by the application on, *inter alia*, page 6, lines 30-34. No new matter has been entered. Also, due to the amendments to claims 1, 8, and 15, claims 7, 14, and 20 have been cancelled.

Claim 1 recites, in part:

a meeting plan interface for capturing administrative meeting information of a meeting in a meeting plan object; and

a meeting discussion interface for capturing substantive information pertaining to the contents of discussion during said meeting in a meeting discussion object, wherein said meeting discussion interface creates (i) action item objects encapsulating information defining tasks to be completed and (ii) commitment objects encapsulating information identifying individuals responsible to complete tasks defined in action item objects.

Claim 8 recites, in part:

capturing an action item in an action item object and a commitment by a meeting participant to perform said action item in a commitment object; and

storing said commitment object and said action item object separately in a form accessible by multiple software applications through a common public interface.

Claim 15 recites, in part:

capturing an action item in an action item object and a commitment by a meeting participant to perform said action item in a commitment object; and

storing said commitment object and said action item object separately in a form accessible by multiple software applications through a common public interface.

In regard to previous claims 7, 14, and 20, the Examiner stated that the Krasnick application suggests storing action item objects and commitment objects, because the Krasnick application discloses that its application server “can vary in structure, format, content, and relationship.” Office Action, page 5. However, the mere fact that the Krasnick application discloses that its server can vary or be modified is insufficient, as a matter of law, to establish a *prima facie* case of obviousness. First, it is well settled that the fact that a reference could be modified is insufficient to establish a *prima facie* case of obviousness. M.P.E.P. § 2143.01, *citing In re Mills*, 16 USPQ2d 1340 (Fed. Cir. 1990). Secondly, all words in a claim must be considered in judging the patentability of that claim against applied references. M.P.E.P. § 2143.03, *citing In re Wilson*, 165 USPQ 494, 496 (CCPA 1970). Thus, the applied references must suggest the specific details of the modification and the motivation or desirability of making the modification.

There is no teaching or suggestion of action item objects or commitment objects in the Krasnick application, the Ludwig patent, or the Kadlec patent. Likewise, there is no motivation in these references to modify the Krasnick server to store such objects in the manner suggested by the Examiner.

Accordingly, the Krasnick application, the Ludwig patent, and the Kadlec patent (either alone or in combination) do not establish a *prima facie* case of obviousness for claims 1, 8, and 15. All other claims depend from one of independent claims 1, 8, and 15 and, hence, a *prima facie* case of obviousness has not been established for the dependent claims.

Applicant requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

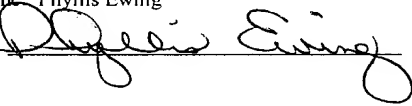
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10003654-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Airbill No. EV482735126US in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Respectfully submitted,

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